

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DIVISION OF OHIO  
WESTERN DISTRICT**

**ANTHONY RIGGINS,**

**CASE NO. C-1-01-503**

**PLAINTIFF,**

**-vs-**

**JUDGE DLOTT**

**FORREST E. HUNT, et al.,**

**DEFENDANTS.**

**DEFENDANT'S  
MOTION TO STAY  
PROCEEDINGS**

Now comes Defendant Forrest E. Hunt, by and through undersigned counsel, to respectfully request an ORDER from this Court staying all proceedings in this matter pursuant to the Soldiers' and Sailors' Civil Relief Act. This motion is supported by the following memorandum.

Respectfully submitted,

/s/ Marie Moraleja Hoover  
Marie Moraleja Hoover #0063254  
R. Tracy Hoover #0039610  
THE HOOVER LAW GROUP  
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**MEMORANDUM**

Defendant Forrest E. Hunt respectfully requests this Court for an ORDER staying all proceedings in this matter pursuant to the Soldiers' and Sailors' Civil Relief Act, 50 App U.S.C.A. §521, which states as follows:

**Sec. 521. Stay of proceedings where military service affects conduct thereof**

At any stage thereof any action or proceeding in any court in which a person in military service is involved, either as plaintiff or defendant, during the period of such service or within sixty

days thereafter may, in the discretion of the court in which it is pending, on its own motion, and shall, on application to it by such person or some person on his behalf, be stayed as provided in this Act (sections 501 to 593 of this Appendix) unless, in the opinion of the court, the ability of plaintiff to prosecute the action or the defendant to conduct his defense is not materially affected by reason of his military service.

The attached order to active duty states that Forrest E. Hunt is noticed of active duty on December 17, 2003. The order further states that Mr. Hunt will remain on active duty for a period of 545 days. The purpose of Mr. Hunt's activation is support of Operation Iraqi Freedom. (*See* attached Exhibit A.) Defendant's counsel was provided ORDER 255-161 by the Southern Ohio Correctional Facility.

Because Mr. Hunt will be mobilized for the stated period of time, Mr. Hunt's ability to conduct his defense is materially affected by reason of his military service. His presence will be necessary at the trial of this matter.

For the above-stated reasons, Defendant Forrest Hunt respectfully requests this Court for an ORDER staying all proceedings in this matter pursuant to the Soldiers' and Sailors' Civil Relief Act.

Respectfully submitted,

/s/ Marie Moraleja Hoover  
Marie Moraleja Hoover #0063254  
R. Tracy Hoover #0039610  
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#### **NOTICE OF ELECTRONIC FILING**

This is to certify that a true copy of the foregoing was filed electronically and electronically served upon parties who have filed a notice of appearance electronically. All

others who have not entered a notice of appearance electronically shall be served by U.S. regular mail.

/s/ Marie Moraleja Hoover  
Marie Moraleja Hoover #0063254  
R. Tracy Hoover #0039610  
THE HOOVER LAW GROUP